



PATENT
Docket No. 441472000500

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Hazel M. Raskowitz
Hazel M. Raskowitz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

H. Ralph SNODGRASS

Serial No.: 09/881,526

Filing Date: June 14, 2001

For: TOXICITY TYPING USING LIVER
STEM CELLS

Examiner: D. Byrd

Group Art Unit: 1639

FEB 27 2004

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents
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Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

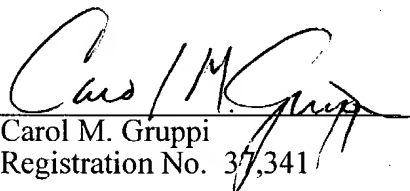
The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **441472000500**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 19, 2004

Respectfully submitted,

By: 
Carol M. Gruppi
Registration No. 37,341

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5777
Facsimile: (650) 494-0792



FEB 27 2004

1639

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/881,526	
	Filing Date	June 14, 2001	
	First Named Inventor	H. Ralph SNODGRASS	
	Art Unit	1639	
	Examiner Name	D. Byrd	
Total Number of Pages in This Submission	6 + 7 ref.	Attorney Docket Number	441472000500

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. PTO Form-1449 plus copy (2 pages) 2. Seven (7) references 3. Return postcard
Remarks		RECEIVED MAR 16 2004 TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Carol M. Gruppi - 37,341
Signature	
Date	February 19, 2004

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PTO/SB/08 (2-92)

Sheet 1 of 1

Form PTO-1449

Docket Number 441472000500

Application Number 09/881,526

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

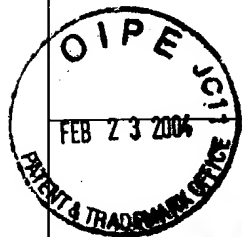
Applicant

H. Ralph SNODGRASS

Filing Date June 14, 2001

Group Art Unit 1639

Mailing Date February 19, 2004



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	1.	Carere, A. et al. (2002). "In Vitro Toxicology Methods: Impact on Regulation From Technical and Scientific Advancements," <i>Toxicol. Lett.</i> 127(1-3):153-160.
	2.	Church, V. L. et al. (1999). "Different Effects of BMP Antagonists Noggin & Fetuin on the Osteogenic Differentiation of Human Marrow Mesenchymal Stem Cells," <i>26th European Symposium on Calcified Tissue, Maastricht, The Netherlands, May 7-11, 1999</i> , 64(1):S54, Abstract No. P-17.
	3.	Davila, J. C. et al, (1998). "Predictive Value of In Vitro Model Systems In Toxicology," <i>Annu Rev. Pharmacol. Toxicol.</i> 38:63-96.
	4.	Ji, X. et al. (2000). "Patterns of Gene Expression Associated with BMP-2-Induced Osteoblast and Adipocyte Differentiation of Mesenchymal Progenitor Cell 3T3-F442A," <i>J. Bone Miner. Metab.</i> 18(3):132-139.
	5.	Thomas, R. S. et al. (2003). "Application of DNA Microarrays For Predicting Toxicity and Evaluating Cross-Species Extrapolation," <i>Toxicogenomics</i> ,. Editors: Inoue and Pennie, Springer-Verlag Tokyo: Tokyo Japan. pp 31-38.
	6.	Tugwood, J. D. et al (2003). "Genomics and the Search for Novel Biomarkers in Toxicology," <i>Biomarkers</i> 8(2):79-82.
	7.	Waring, J. F. et al. (2002). "The Promise of Toxicogenomics," <i>Cur. Opin. Mol. Ther.</i> 4(3):229-235.

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EXAMINER:

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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